



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Northwest Region
7600 Sand Point Way N.E., Bldg. 1
Seattle, WA 98115

Refer to:
OSB2000-0124

June 5, 2000

Ms. Elaine Zielinski
State Director, OR/WA
USDI Bureau of Land Management
1515 SW Fifth Avenue
Portland, Oregon 97201

Mr. Harv Forsgren
Regional Forester, Region 6
USDA Forest Service
333 SW First Avenue
Portland, Oregon 97208-3623

Re: Issuance of New Incidental Take Statements for Three Programmatic Biological Opinions and Adoption of Three Conference Opinions on Proposed Critical Habitat as Biological Opinions for Designated Critical Habitat

Dear Ms. Zielinski and Mr. Forsgren:

This responds to your April 28, 2000, letter requesting an extension of the incidental take statements (ITS) for three programmatic biological/conference opinions (Opinions) issued by the National Marine Fisheries Service (NMFS). The subject Opinions are the June 3, 1999, opinion for the Lower Columbia River Province; the June 4, 1999, opinion for the Oregon Coast Province; and the July 28, 1999, opinion for the Upper Willamette Province. The Opinions cover multiple evolutionarily significant units (ESU) of anadromous fish occurring within a number of administrative units in the three geographic provinces (see Table 1. below). The programmatic actions described in the subject Opinions were considered *likely to adversely affect* all ESUs identified in the table below. NMFS finds it appropriate to extend the ITS from the Opinions for a period not to exceed September 30, 2001.

Because the agencies have been working collaboratively to refine terms and conditions to minimize incidental take from programmatic activities, NMFS initially chose to limit the ITS in each of the Opinions to a one year period so that they could be reviewed and improved if necessary at the end of the one year period. Each ITS required that specific project monitoring data be collected by the action agencies and provided to NMFS for review prior to extending the ITS for a subsequent term.



Table 1. List of geographic areas and corresponding administrative units and ESUs for which the Opinions apply.

GEOGRAPHIC AREA	ADMINISTRATIVE UNITS	ESU
Lower Columbia River ¹	Mt. Hood National Forest Gifford Pinchot National Forest Columbia River Gorge National Scenic Area Salem District BLM	Upper Will. Riv. chinook Lower Col. Riv. chinook Lower Col. Riv. steelhead Lower Col. Riv. chum SW Washington/Col. Riv. coho SW Washington/Col. Riv. cutthroat trout
North Oregon Coast ²	Siuslaw National Forest Eugene District BLM Salem District BLM	Oregon Coast coho salmon
Upper Willamette ³	Willamette National Forest Siuslaw National Forest Mt. Hood National Forest Eugene District BLM Salem District BLM	Upper Will. Riv. steelhead Upper Will. Riv. chinook

¹ NMFS' biological/conference opinion dated June 3, 1999

² NMFS' biological/conference opinion dated June 4, 1999

³ NMFS' biological/conference opinion dated July 28, 1999

Included with your April 28 letter was a summary of actions, by project category, that have been implemented since issuance of the Opinions. NMFS has reviewed the monitoring and information submitted by the Federal agencies requesting an extension of each ITS in the Opinions for actions affecting the ESUs listed in the table above, and their designated critical habitat on Forest Service and Bureau of Land Management administered lands in the subject geographic provinces. The NMFS participated in several Level I team and agency-specific discussions relative to Opinion implementation, monitoring requirements and Opinion compliance, and agree that the action agencies have complied with the requirements of the Opinions and remain within the scope of action effects described within the Opinions.

In the Opinions, NMFS concurred that proposed critical habitat for the subject ESUs would not likely be destroyed or adversely modified by the proposed programmatic actions. The effects of the programmatic actions proposed in the biological assessments for the Opinions were evaluated by the Level I teams and this evaluation effectively considered the effects of the proposed actions on proposed critical habitat for the subject ESUs. NMFS is not aware of any new information that would alter its conclusions in the Opinions, and the action agencies have stated that there have been no significant changes to the scope of the proposed actions or expected effects. Therefore, NMFS adopts the conference portion of the Opinions on proposed critical habitat as its biological opinions that the

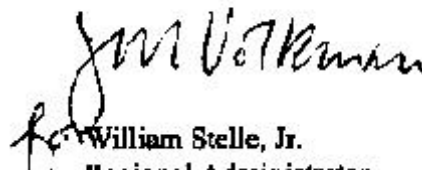
programmatic actions, as proposed, will not destroy or adversely modify designated critical habitat for the subject ESUs.

Based on the information provided by the action agencies, NMFS has determined that reinitiation of consultation is unnecessary, because the scope of the programmatic actions and their expected effects on the subject ESUs and their designated critical habitat remain within the scope of the Opinions, and that all other requirements of the Opinions have been met.

The NMFS is aware of, and involved in, the development of new information that will eventually lead to refinement of terms and conditions to further minimize the likelihood of incidental take from the subject programmatic activities. This process is currently underway, and will likely take several months to complete. NMFS finds it appropriate to extend the ITS from the Opinions for a period not to exceed September 30, 2001 (the end of the fiscal year was chosen because this is the normal annual reporting time for the action agencies). NMFS expects to amend the subject ITSs as soon as the revised programmatic terms and conditions are completed in the next several months.

If you have any questions, please call Michael Tehan of my staff in the Oregon State Branch Office at (503) 231-2224.

Sincerely,


William Stelle, Jr.
Regional Administrator

cc: Gloria Brown, Siuslaw National Forest
Darrell Kenops, Willamette National Forest
Gary Larsen, Mt. Hood National Forest
Julia Dougan, Eugene BLM
Denis Williamson, Salem BLM
Art Carroll, CRGNSA
Ted Stubblefield, Gifford Pinchot National Forest

Table 1. Programmatic categories where the number of actual accomplished action exceeded the number of projected actions for the period June/July 1999 to June/July 2000 in the **Lower Columbia River Province Biological Opinion**

Salem BLM

4 th Field	Category	Authorized in BO	Actual 7 Projected Accomplishments Time Period
Sandy River	Road Maintenance	0	3
	Trail Maintenance & Construction	1	2
	Rock Quarries	1	3
Clackamas	Road Decommissioning	0	4
	Near & Instream Survey		

Gifford Pinchot and CRGNSA (WA State)

Wind/White Salmon	Near & Instream Surveys	35	187
	Environmental Education	11	13
	Public Use: Developed and Dispersed Sites	29	430
Washougal	Trail Maintenance & Construction	1.5	33.1
	Public Use: Developed and Dispersed Sites	4	20
Lewis	Aquatic Habitat Restoration	2	12
Upper Cowlitz	Aquatic Habitat Restoration	8	35
	Near Instream Surveys	20	39
	Environmental Education	1	7
Lower Cowlitz	Trail Maintenance & Construction	0	50
	Infrastructure Maintenance	0	15
Kalama	Aquatic Habitat Restoration	0	1

Lower Columbia River Province BO (continued)

Mt. Hood

4 TH Field	Category	Authorized in BO	Actual & Projected Accomplishments during Authorized Time Period
Clackamas	Trail Maintenance & Construction	50	120.6
Hood River	Trail Maintenance & Construction	110	152

CRGNSA (OR State)

Sandy River & Tributary	Tail Maintenance & Construction	83	180
	Near Instream Surveys	5	6
	Public Use: Developed and Dispersed Sites	6	31
	Infrastructure Maintenance	3	6

Table 2. Programmatic categories where the number of actual accomplished actions exceeded the number of projected actions for the period June/July to June/July 2000 in **Oregon (North)Coast Province Biological Opinion.**

Salem BLM

4 th Field	Category	Authorized in BO	Actual & Projected Accomplishments during Authorized Time Period
Nehalem	Public Use: Developed and Dispersed Sites	0	1
	Infrastructure Maintenance	0	1
Wilson/Trask/Nestucca	Near Instream Surveys	6	19
	Environmental Education	1	6
	Public Use: Developed and Dispersed Sites	4	5
	Infrastructure Maintenance	4	5
Siletz/Yaquina	Storm Damaged Roads	1	2
Alsea	Aquatic Habitat Restoration	0	1
	Storm Damaged Roads	0	5
	Near Instream Surveys	10	18
	Developed Boat Ramp	0	1
	Rock Quarries	3	4

Eugene BLM

Suislaw	Aquatic Habitat Restoration	7	9
	Storm Damaged Roads	40	43
	Near & Instream Survey	65	72
	Developed Boat Ramp	1	2
	Infrastructure Maintenance	3	4

Oregon (North) Coast BO (continued)**Siuslaw NF**

4 th Field	Category	Authorized in BO	Actual & Projected Accomplishments during Authorized Time Period
Nestucca River	Storm Damaged Roads	0	4
	Environmental Education	0	17
	Pump Chances	0	9
	Firewood Permits	246	491
Siletz/Yaquina	Road Maintenance	80	87
	Meadow Maintenance	20	50
	Storm Damaged Roads	2	8
	Environmental Education	2	4
	Pump Chances	0	3
	Firewood Permits	43	178
	Public Use: Developed and Dispersed Sites	9	12
	Infrastructure Maintenance	1	6
Alsea	Trail Maintenance & Construction	62	110
	Meadow Maintenance	45	195
	Environmental Education	2	15
	Public Use: Developed and Dispersed Sites	1	5
	Near & Instream Survey	30.5	113
	Developed Boat Ramp	3	5
	Pump Chances	0	3
	Firewood Permits	265	409

Oregon (North) Coast BO (Continued)**Siuslaw NF (continued)**

4 th Field	5 th Field	Category	Authorized in BO	Actual & Projected Accomplishments during Authorized Time Period
Siltcoos		Firewood Permits	2	38
		Boat Ramps	5	10
		Road Maintenance	0	19
		Aquatic Habitat Projects	0	1
		Trail Maintenance	12	59
		Meadow Maintenance	0	1
		Road Decommissioning	0	7
		near & Instream Surveys	202	5
		Pump Chances	0	4
Siuslaw		Aquatic Habitat Projects	4	14
		Trail Maintenance & Construction	2	12

Table 3. Programmatic categories where the number of actual accomplished actions exceeded the number of projected actions for the period June/July 1999 to June/July 2000 in the Upper Willamette Province Biological Opinion.

Salem BLM

4 th Field	5 th Field	Category	Authorized in BO	Actual & Projected Accomplishments during Authorized Time Period
Yamhill	Upper South Yamhill	Road Maintenance	1	10
	Willamina	Road Maintenance	25	29
Molalla	Milk Creek	Road Maintenance	0	8
	Upper Molalla	Developed Stie	1	2
N. Santiam	L.N. Santiam	Storm Damage Roads	1	4
Upper Willamette	4 th Field	Firewood Permits	10	18
	Luckiamute	Road Maintenance	10	12
	Muddy	Road Maintenance	0	10
		Road Decommissioning	0	1
		Storm Damage Roads	0	1

Eugene BLM

4 th Field	5 th Field	Category	Authorized in BO	Actual & Projected Accomplishments during Authorized Time Period
Upper Willamette	4 th Field	Firewood Permits	130	252

Siuslaw NF

4 th Field	5 th Field	Category	Authorized in BO	Actual & Projected Accomplishments during Authorized Time Period
Yamhill	Upper South Yamhill	Road Maintenance	3	8
	Willamina Cr.	Road Maintenance	2	7
		Firewood Permits	5	87

Willamette NF

See attached Forest Report: Accomplishments or outputs that exceeded the values projected for the BO are in bold type and underlined